

E2P7CILC

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
-----x

3 UNITED STATES OF AMERICA,

4 v.

13 Cr. 315 (WHP)

5 FREDERIC CILINS,

6 Defendant.

7 -----x  
8 February 25, 2014  
9 10:30 a.m.

10 Before:

11 HON. PAUL A. CROTTY  
12 District Judge

13 APPEARANCES

14 PREET BHARARA  
15 United States Attorney for the  
Southern District of New York  
16 BY: TAREK HELOU  
ELISHA KOBRE  
17 Assistant United States Attorneys

18 WILLIAM SCHWARTZ  
ANNIKA GOLDMAN  
19 Attorneys for Defendant

20 ALSO PRESENT: ISABELLE DUCHESNE, French Interpreter

E2P7CILC

1 (Case called)

2 (In open court)

3 MR. HELOU: Good morning. Tarek Helou for the United  
4 States, and I am here with assistant U.S. attorney Elisha  
5 Kobre.

6 THE COURT: Mr. Helou, how are you. Mr. Kobre, nice  
7 to see you.

8 MR. KOBRE: Nice to see you, Judge.

9 MR. SCHWARTZ: Good morning, your Honor. William  
10 Schwartz and Annika Goldman from Cooley LLP for the defendant.

11 THE COURT: Mr. Schwartz and Ms. Goldman.

12 Mr. Cilins, can you understand what we're saying?

13 THE DEFENDANT: Yes.

14 THE COURT: I understand the purpose today,  
15 Mr. Schwartz, is to arraign Mr. Cilins on a superseding  
16 indictment.

17 MR. SCHWARTZ: Yes, it is, your Honor.

18 THE COURT: OK. Mr. Cilins, have you seen the new  
19 superseding indictment?

20 THE DEFENDANT: Yes, your Honor.

21 THE COURT: Have you had a chance to review it with  
22 with Ms. Goldman and Mr. Schwartz?

23 THE DEFENDANT: Yes.

24 THE COURT: Do you want me to read it to you, or do  
25 you waive the reading?

E2P7CILC

1 THE DEFENDANT: It's not necessary.

2 THE COURT: All right, you will waive the reading.

3 And do you want to enter a plea now, Mr. Cilins?

4 THE DEFENDANT: Not guilty.

5 THE COURT: A plea of not guilty will be entered.

6 All right. Now, I should have said that I'm here  
7 because Judge Pauley is not feeling well today, but he asked me  
8 to arraign Mr. Cilins on a superseding indictment and then TO  
9 remind you of the schedule that's pending, and set some new  
10 dates for any motions you want to make.

11 The government is to provide its list of exhibits on  
12 March 3 and 3500 material and list of witnesses to defense  
13 counsel on March 17. That's been previously established.

14 Jury selection and trial is scheduled for March 31,  
15 2014. That schedule is already established. I didn't repeat  
16 the dates that have passed on the existing schedule.

17 Defense counsel has indicated to Judge Pauley that he  
18 wants to file a motion to dismiss Count One of the indictment.  
19 Judge Pauley sets the following schedule: If the defense wants  
20 to move to dismiss, they must do so by March 4, 2014. The  
21 government response is March 11, and any reply by the 14th.

22 Judge Pauley sets the following schedule for proposed  
23 voir dire along with joint requests to charge: To be filed by  
24 March 21. The final pretrial conference will be held on March  
25 29, 2014 at 12 noon. Trial will commence on March 31, 2014 at

E2P7CILC

10 a.m.

2 Mr. Helou and Mr. Kobre, is there any other business  
3 to transact?

4 MR. KOBRE: Yes, your Honor, just briefly. Judge  
5 Pauley had excluded time under the Speedy Trial Act under the  
6 underlying indictment until the date of trial, March 31, and we  
7 would ask that time be excluded under the superseding  
8 indictment as well until that date.

9 THE COURT: Mr. Schwartz?

10 MR. SCHWARTZ: We have no objection, your Honor.

11 THE COURT: All right. The time on the superseding  
12 indictment between now and the trial of March 31 will be  
13 excluded to allow for time for additional preparation and any  
14 motions that Mr. Schwartz wants to bring, so time between now  
15 and the 31st of March is excluded.

16 Mr. Schwartz, do you want to raise anything?  
17 Ms. Goldman?

18 MR. SCHWARTZ: No, your Honor.

19 THE COURT: OK. Thank you very much.

20 MR. HELOU: Thank you, your Honor.

21 - - -  
22  
23  
24  
25